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TRADE AND DEVELOPMENT BOARD
Committee on Shipping
Fourteenth session
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Agenda item 4

Sessional Committee I

ECONOMIC CO-OPERATION AMONG DEVELOPING COUNTRIES IN THE FIELD
OF SHIPPING, PORTS AND MULTIMODAL TRANSPORT

Draft resolution submitted by Côte d'Ivoire on behalf
of the States members of the Group of 77

The Committee on Shipping,

Convinced of the important role of ECDC in the field of shipping, ports and multimodal transport in attaining the shipping policy objectives of developing countries,

Recalling conference resolution 144 (VI) as well as Committee on Shipping resolution 53 (XI) and decision 63 (XIII) on economic co-operation among developing countries in the area of shipping, ports and multimodal transport,

1. Endorses the report of the Group of Experts on Economic Co-operation among Developing Countries in Shipping, Ports and Multimodal Transport (TD/B/C.4/321-TD/B/C.4/AC.10/3) and the recommendations contained therein;

2. Invites shipowners, shipowners' associations and shippers of developing countries to create and/or strengthen the structures necessary to establish and improve operational co-operation among them;

3. Urges governments of developing countries to continue to provide for an adequate framework promoting co-operative action among shipowners, shippers, ports and multimodal transport operators;

4. Urges national and international organizations concerned with economic and social development plans, and bilateral and multilateral funding to continue to give high priority in their programmes to projects and assistance in the area of shipping and multimodal transport;

5. Requests the Secretary-General of UNCTAD to assist, upon request, in the organisation of regional and interregional meetings aimed at improving and/or institutionalizing co-operation among governments and economic operators in the area of maritime transport;

6. Furthermore requests the Secretary-General of UNCTAD, in technical assistance activities, to play particular emphasis on activities fostering the further development of ECDC and promoting the implementation of the recommendations made by the Group of Experts on Economic Co-operation among Developing Countries;

7. Invites operators of shipping and multimodal enterprises, particularly from developed countries, to assist in solving operational problems of co-operation and to strengthen their co-operative programmes with operators of shipping and multimodal enterprises from developing countries.



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TRADE AND DEVELOPMENT BOARD
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Agenda item 5

Sessional Committee I

WORK PROGRAMME

Draft texts for resolution submitted by Côte d'Ivoire
on behalf of the States members of the Group of 77

Shipping policy, port development, international maritime legislation,
technical co-operation and training, including work programme

A. SHIPPING POLICY

The Committee on Shipping,

I. Merchant fleet development

Concerned about increasing structural problems facing the shipping
industry of developing countries,

Considering that continuing efforts should be made to promote an
increasing and equitable participation of developing countries in world
maritime and multimodal transport,

Further considering that such efforts should be directed in particular
at assisting developing countries in meeting the challenges posed by ongoing
structural and technological changes and developments in liner and bulk
shipping and multimodal transport,

Aware of the need to assist developing countries in the process of adjustment of their maritime engagement to enable them to continue to adequately meet the transport requirements of the trading community,

1. Urges the international community, particularly developed countries, to endeavour to promote an increased and equitable participation by developing countries in world maritime and multimodal transport;

2. Urges the international community, particularly developed countries, to assist developing countries in meeting the challenges posed by ongoing structural and technological changes and developments in liner and bulk shipping and multimodal transport;

3. Requests the UNCTAD secretariat to analyse on-going structural and technological developments in world liner and bulk shipping and multimodal transport, in close co-operation and consultation with experts of the maritime community and to elaborate necessary and adequate proposals that would ensure effective participation of developing countries in world shipping in the medium and long term and report thereon to the fifteenth session of the Committee on Shipping. Such proposals should in particular address the necessary adjustment processes that would enable developing countries to reduce the presently existing technology gap and to adapt to new forms of transport organization. The report should take into account industry developments in all sectors of maritime transport as well as changes in the shipping policy framework based on various national legislations and multilateral agreements;

4. Requests the UNCTAD secretariat to study prevailing ship financing arrangements and to assess their adequacy in meeting the requirements of developing countries and report the results to the fifteenth session of the Committee;

5. Requests the UNCTAD secretariat to continue to monitor the problem of the imbalance between supply and demand and to assess the impact of ongoing structural and technological changes in world shipping on the participation of developing countries in the industry and make appropriate recommendations to the Committee on Shipping;

II. Protection of shippers' interests

1. Requests the UNCTAD secretariat to monitor institutional and market developments in liner shipping and their impact on shipper/shipowner relations and consultations and to report periodically to the committee on this matter. In this connection, the secretariat is requested to study the problems faced by shippers and shippers' organizations in consulting with conferences and shipping lines on freight rates charged in transshipment services, on multimodal through rates and also analyse the increasing imposition of various forms of handling charges, with a view to assisting shippers' organizations in their consultations with shipowners;

2. Request the UNCTAD secretariat to assist developing countries, upon request, with the establishment and operation of shippers' organizations which are capable of effectively assisting and advising shippers in their day-to-day commercial activities as well as consulting effectively with all relevant providers of transport services.

III. Maritime transportation of selected commodities and manufactured goods

1. Requests the UNCTAD secretariat to prepare - upon requests - studies on the maritime transportation of selected commodities which are of particular interest to developing countries as well as to prepare studies which will analyse the impact of conditions of ocean transport services, particularly ocean freight rates, on exports of manufactured goods from developing countries, and on exports in trades between those countries, in order to provide them with information required for making appropriate decisions in this area.

IV. Implementation of United Nations Conventions in the field of shipping and multimodal transport

1. Requests the UNCTAD secretariat to continue to provide, within existing resources, assistance upon request to Governments concerning the implementation of Conventions adopted under the auspices of UNCTAD and to monitor progress made towards the ratification and implementation of the Conventions or their provisions and to report periodically thereon to the

Committee on Shipping. Furthermore requests the UNCTAD secretariat to update document UNCTAD/ST/SHIP/1 - Guidelines towards the application of the United Nations Convention on a Code of Conduct for Liner Conferences, taking into account recent and ongoing developments in world liner shipping.

V. Trade in services

1. Requests the UNCTAD secretariat to monitor and to keep under review developments in trade in shipping services and related activities and provide assistance to developing countries with a view to strengthening their shipping service sector and export capabilities therein.

B. PORTS DEVELOPMENTS

1. Requests the UNCTAD secretariat to continue implementing the mandates already received in the field of ports, including training and technical co-operation, taking into account the recommendations that the IGG may wish to make in this field and report thereon to the fifteenth session of the Committee on Shipping.

C. INTERNATIONAL MARITIME LEGISLATION

1. Recommends to States members of UNCTAD to urge the relevant commercial parties to utilize the services provided by the Maritime Advisory Exchange as a means of combating maritime fraude;

2. Invites member Governments and private enterprises, in a position to do so, to provide financial assistance to the Maritime Advisory Exchange in order to ensure its continued functioning;

3. Requests the UNCTAD secretariat to promote the services provided by the Maritime Advisory Exchange, to monitor its progress, and to report thereon to the Committee on Shipping;

4. Requests further the UNCTAD secretariat to continue monitoring the work on the subject of sea waybills, in both liner and tramp shipping, being carried out by the relevant international organizations and to report on the progress made to the Committee on Shipping;

5. Calls upon States members of UNCTAD to inform the UNCTAD secretariat of the actual commercial and economic consequences they have noted for their merchant ships as a result of port State control at a regional level, and requests the UNCTAD secretariat to report to the Committee on Shipping on such communication received.

D. TECHNICAL CO-OPERATION AND TRAINING

Recognizing that the efficiency of ports, shipping companies and other partners in the maritime sector has a significant effect on the terms of trade and that decisions concerning the maritime sector can, particularly in the light of technological developments, affect the potential volume of trade of developing countries,

Being convinced that the training of government officials, maritime administrators and managers of ports and shipping companies is a prerequisite for efficient planning and operations, notably the development of merchant marines, the establishment of multimodal transport operations, and the management of shipping companies, ports, shipping agencies, freight forwarding, etc.,

Noting from the recent external evaluations of the TRAINMAR and IPP Programmes the important contribution these programmes are making to meet the training needs of the developing countries,

Being convinced that on-the-job training is an important complement to other training activities of UNCTAD, and noting the excellent co-operation between the International Chamber of Commerce's Centre for Maritime Co-operation (CMC) and other private-sector groups in establishing the JOBMAR programme based upon a cost-sharing approach,

Welcoming the initiative which UNCTAD, ILO and IMO are taking to more closely co-ordinate their maritime training activities,

1. Expresses appreciation to UNDP and those donor countries which have provided financial support to UNCTAD's training programmes and invites all potential donors to extend, if possible, their assistance so that as many countries as possible can benefit from these high priority activities;

2. Urges the UNCTAD secretariat to maintain and, if possible, extend the IPP and JOBMAR training programmes within the resources available;

3. Urges the UNCTAD secretariat to continue to promote international co-operative mechanisms for the preparation and dissemination of high quality training materials in shipping, ports and multimodal transport and to take all measures necessary to implement as fully as possible the TRAINMAR Action Plan contained in paragraph 43 of TD/B/C.4/331;

4. Recommends that UNCTAD strengthens even further its collaboration with other agencies such as ILO and IMO (including the World Maritime University) to ensure that developing countries obtain the maximum benefits from these organizations' scarce resources.



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Sessional Committee I

ECONOMIC CO-OPERATION AMONG DEVELOPING COUNTRIES IN THE FIELD
OF SHIPPING, PORTS AND MULTIMODAL TRANSPORT

WORK PROGRAMME

Structure of world shipping, economic co-operation among
developing countries, international shipping legislation,
ports and technical assistance and training

Draft resolution submitted by the United Kingdom of Great Britain
and Northern Ireland on behalf of the States members of Group B

The Committee on Shipping,

Recalling Conference resolution 144 (VI) of 2nd July 1983 and Committee
on Shipping resolutions and decisions 61 (XIII), 62 (XIII) and 63 (XIII)
adopted by the Committee on Shipping at its thirteenth session in March 1988,

Taking note of the report of the Group of Experts on Economic
Co-operation among Developing Countries in Shipping, Ports and Multimodal
Transport on its session in June 1989,

Taking note with appreciation of the documentation prepared by the
UNCTAD secretariat as presented to the Committee on its fourteenth session:

I. Structure of World Shipping

1. Calls upon all Governments of States members of UNCTAD to implement liberal shipping policies world-wide based on the principles of free circulation of shipping in international trade and free and fair competition;

2. Instructs the secretariat, while recognising that UNCTAD has fulfilled its mandate under Committee resolutions 48 (X), 51 (XI), 57 (XII) and 62 (XIII) to continue monitoring closely developments in world shipping, giving special attention to world liner shipping developments and to report thereon to the Committee on Shipping or, as appropriate, in its annual Review of Maritime Transport;

3. Requests the UNCTAD secretariat to continue to monitor developments in relation to the establishment and operation of effective consultation mechanisms for shippers organisations and to report thereon to the Committee periodically;

4. Invites the UNCTAD secretariat to assist, upon request, shippers organisations in developing countries to improve the effective operation of consultation machinery in liner shipping and to report thereon to the Committee on Shipping at its fifteenth session.

II. Economic co-operation among developing countries

1. Calls upon Governments of developing countries to consider implementing, where appropriate, the recommendations made by the group of experts on economic co-operation among developing countries in shipping, ports and multimodal transport - contained in document TD/B/C.4/321 - TD/B/C.4/AC.10/3 - without impinging upon the freedom of choice of commercial parties;

2. Requests the UNCTAD secretariat:

- to monitor and prepare surveys of progress achieved by developing countries in their co-operation among themselves in shipping, ports and multimodal transport;

- to prepare for consideration at the fifteenth session of the Committee on Shipping, a detailed report on the implementation of the recommendations as agreed among the experts and make, if appropriate, additional recommendations on how co-operation among developing countries could be improved further.

III. International Maritime Legislation

1. Requests the UNCTAD Trade and Development Board to suggest, in consultation with the IMO Council, to the relevant United Nations bodies the convening, on the basis of budget neutrality, of a diplomatic conference on the review of the draft Maritime Liens and Mortgages Convention as contained in the final report of the "Joint UNCTAD/IMO intergovernmental group of experts on maritime liens and mortgages and related subjects" (TD/B/C.4/327 - TD/B/C.4/AC.8/27);

2. Instructs the UNCTAD secretariat to monitor the working of the Maritime Advisory Exchange and urges commercial parties to utilise, to as much larger extent than done at present, the services provided by the Maritime Advisory Exchange to combat effectively maritime fraud;

3. Instructs the UNCTAD secretariat to continue monitoring developments as regards the utilisation of sea-way bills and to report back to the Committee on Shipping at its next session;

IV. Technical Co-operation and training programme

1. Requests the UNCTAD secretariat to maintain and, if feasible, increase within resources available to the UNCTAD secretariat its technical assistance programmes such as TRAINMAR and JOBMAR;

2. Requests the UNCTAD secretariat to update and make available information on technical assistance, training activities and advisory services as provided in the field of shipping, ports and multimodal transport and to evaluate the present and future need for training in these fields by developing countries;

3. Requests the UNCTAD secretariat to provide, within existing resources available to UNCTAD, guidance, upon request, to Governments on the implications of the international maritime instruments (not yet in force) negotiated under the auspices of the United Nations which fall within the field of competence of UNCTAD, monitor progress made towards ratification and implementation of such instruments and to report back to the Committee at its fifteenth session.

V. Fifteenth session of the Committee on Shipping

1. Agrees that the major part of the 15th session of the Committee should be devoted to (i) UNCTAD's work programme and in particular its work programme in the field of multimodal transport taking into account the findings and recommendations made by the group of experts set up by the Committee at its fourteenth session by Resolution ... (XIV), (ii) monitoring the current situation in world shipping and (iii) the review of port activities of the UNCTAD secretariat, taking into account the results of the second session of the IGG on ports and to provide guidance to the secretariat taking into account the changing roles of ports in modern transport systems;

2. Instructs the UNCTAD secretariat to prepare the necessary documentation for the fifteenth session of the Committee on Shipping in strict observance with existing relevant Trade and Development Board resolutions as regards the number of main documents and their length.



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Sessional Committee I

WORK PROGRAMME

Draft resolution submitted by Côte d'Ivoire
on behalf of the States members of the Group of 77

Maritime Liens and Mortgages

The Committee on Shipping,

Recalling Conference resolution 144(VI) of 2 July 1983 which urged the early completion of the ongoing international negotiations in the field of maritime liens and mortgages,

Recalling further resolution 49(X) adopted at the tenth session of the Committee on Shipping which included the subject of maritime liens and mortgages in the work programme of the Working Group on International Shipping Legislation,

Recalling also resolution 6(XI) of the Working Group on International Shipping Legislation adopted at its eleventh session which recommended the establishment of the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects in order to review the existing International Conventions on Maritime Liens and Mortgages and related enforcement procedures, such as arrest,

Recognizing the importance of the subject of maritime liens and mortgages in ship financing and in the development of national merchant fleets, in particular those of developing countries,

Emphasizing the need for international uniformity and for the establishment of a widely acceptable legal instrument governing the subject of maritime liens and mortgages,

Bearing in mind that the existing international conventions on the subject of maritime liens and mortgages have not achieved the desired international uniformity,

1. Takes note with satisfaction of the the Final Report of the Joint UNCTAD/IMO intergovernmental Group of experts on Maritime Liens and Mortgages and Related Subjects (document TD/B/C.4/327-TD/B/C.4/AC.8/27) and endorses the recommendations contained therein;

2. Requests the Trade and Development Board that it recommends to the General Assembly the convening of a Conference of Plenipotentiaries for the adoption of the draft Convention on Maritime Liens and Mortgages prepared by the Joint UNCTAD/IMO Intergovernmental Group of Experts;

3. Requests further the secretariats of UNCTAD and IMO to carry out all the preparatory work, including the circulation of the draft Convention on Maritime Liens and Mortgages to all States members of UNCTAD and IMO and to all Non-governmental and Intergovernmental Organizations having consultative status with UNCTAD and IMO for comment, and to place before the Diplomatic Conference all the necessary documentation, including comments received on the draft Convention.